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DECLARATION

OF THE

COUNTY OF ESSEX,

IN THE

COMMONWEALTH OF MASSACHUSETTS,

BY ITS

DELEGATES,

ASSEMBLED IN CONVENTION

AT

IPSWICH,

ON TUESDAY, THE 21st OF JULY, 1812.

SALEM:

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1812

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ESSEX COUNTY CONVENTION AT IPSWICH,

THE 21st OF JULY, 1812,

PRESENT THE FOLLOWING DELEGATES:

SALEM.

JACOB ASHTON, Esq.
NATHANIEL BOWDITCH,
E HERSEY DERBY,
ROBERT EMERY,
SAMUEL ENDICOTT,
ICHABOD NICHOLS,
WILLIAM ORNE,
JOHN OSGOOD,
JOSEPH PEABODY,
Hon. BENJAMIN PEIRCE,
JOHN PICKERING, Esq.
Hon. SAMUEL PUTNAM,
LEVERETT SALTONSTALL, Esq.

BEVERLY.

MOSES BROWN, Esq.
Hon. JOSHUA FISHER,
Capt. HUGH HILL,
Maj. BILLY PORTER,
ROBERT RANTOUL, Esq.

DANVERS.

JONATHAN INGERSOLL, Esq.
Dr. ANDREW NICHOLS,
JOSEPH OSBORN,
NATHANIEL PUTNAM.

LYNNFIELD.

JOHN UPTON, jun.

BRADFORD.

JAMES KIMBALL, Esq.
DANIEL STICKNEY.

HAVERHILL.*

Hon. ISRAEL BARTLETT,
ENOCH BRADLEY,
JOHN JOHNSTON, jun.
SALISBURY.*

SAMUEL WIGGLESWORTH.

HAMILTON.

FRANCIS QUARLES.

TOPSFIELD.

Hon. N.H. CLEAVELAND.

ROWLEY.

PARKER CLEAVELAND, Esq.
MOODY SPAFFORD, Esq.

NEWBURYPORT.

WILLIAM BARTLETT, Esq.
WILLIAM CHASE,
THOMAS M. CLARK, Esq.
WILLIAM FARRIS,
JONATHAN GAGE, Esq.
Col. JOHN GREENLEAF,
Hon. JEREMIAH NELSON,
SAMUEL NEWMAN,
ISAAC STONE.

NEWBURY.

THOMAS CARTER,
DANIEL EMERY,
SILAS LITTLE, Esq.
ABRAHAM WHEELWRIGHT.

IPSWICH.

JONATHAN COGSWELL, Esq.
Capt. JOSEPH FARLEY,
Hon. JOHN HEARD,
Capt. AMMI R. SMITH.

MANCHESTER.

WILLIAM TUCK, Esq.

GLOUCESTER.

WILLIAM DANE,
ROBERT ELWELL 3d,
JOHN MASON,
Hon. LONSON NASH,
DANIEL ROGERS.

WENHAM.

Hon. TIMOTHY PICKERING.

BOXFORD.

Deacon PARKER SPAFFORD.

MIDDLETON.*

ELIAS WILKINS.

LYNN.*

FRED'K BREED, Esq.
EPHRAIM SWEETSER.

These Towns did not choose Delegates in their corporate capacity.

THE Delegates made choice of the Hon. TIMOTHY PICKERING, Esquire, as President, and LONSON NASH, Esq. as Secretary, of the Convention. A Prayer well adapted to the occasion and to the calamitous state of the Country, was then addressed to the SUPREME RULER of the World, by the Rev. Dr. DANA. A general view was taken of the important business for the consideration of which the Convention had been proposed; and a Committee was chosen to prepare and report a draught of Resolutions, or a Declaration, expressive of the sentiments which the measures of our National Government, and especially their DECLARATION of WAR, appeared to have excited in the minds of the People of this County; and then the Convention adjourned to the afternoon. At the adjourned meeting, the Committee made a Report; which, having been read, considered, discussed and amended, was unanimously agreed to, and adopted as the act of this Convention, as hereto subjoined, and ordered to be published.

The Convention then made choice of TWENTY DELEGATES to represent this County in a Convention of Delegates from the several Counties in this Commonwealth, to be convened at BOSTON.

DECLARATION.

OUR Country grievously oppressed by prohibitions of trade, under the name of embargo, and by other ruinous commercial restrictions, which for many years have been wantonly imposed by the government of the United States; and its measure of iniquity being now filled up by a declaration of war against Great-Britain; a war impolitic, unnecessary and unjust; and by which all our former sufferings will be aggravated; while our liberty and independence are put in jeopardy, by the consequent connections with France; whose government under every form stamped with despotism and perfidy, is now in the blood-stained hands of a

monster whose falsehood, injustice, cruelty, ambition and tyranny have not in any period of the world been surpassed : In this awful state of things it is the serious and urgent duty, as well as the perfect right of the Freemen of Massachusetts, to consult together, and to adopt the most suitable means of deliverance from the evils already felt, and the greater now impending, and which can be averted and removed only by the spirit and firmness of the people themselves. This duty has become the more pressing and imperious by the actual condition of the government of this Commonwealth, of which one branch (the Senate) is in the hands of usurpers devoted to the iniquitous system of the National Government ; usurpers who obtained their seats by means of an unjust and unconstitutional law of the last year's legislature ; by which permanence in ill-gotten and abused power was intended to be secured in that branch, in defiance of the voice of the people demanding reforms of the abuses and evils devised and perpetrated by that legislature.—These usurpers have manifested a determination to deprive this Commonwealth of their voice in the election of a President of the United States, by refusing to concur in any one of the various fair modes of election tendered to them by the House of Representatives.—They have also impeded the expression of the public opinion by our present legislature : and hence the large and patriotic majority of the House of Representatives have addressed the PEOPLE, and solemnly called on them to assemble in town-meetings and county conventions, to express, at this momentous crisis, their sentiments on public affairs, and especially their disapprobation of the WAR. This we will do ; and, as they advise, “without fear ;” unrestrained by any considerations but those of justice and truth.

“When a great people find themselves oppressed by the measures of their government ; when their rights are neglected, their interests overlooked, their opinions disregarded, and their respectful petitions received with supercilious contempt ; it is impossible for them to submit in silence.” Under these circumstances, to repeat such petitions would be unworthy of the spirit and dignity of freemen. We will not incur this reproach. The remedy is in the People’s own hands. Men deaf to the voice of reason and of justice must be deprived of power. The PEOPLE, in exercising the right of election, must substitute persons of a different character. “They who rule over men, must be just, ruling in the fear of God.” Without such rulers slavery and ruin await us.

In every community, it is but a small number of men, and chiefly those who obtain offices, who can be benefited by the abuse of power : while the great body of the People, whatever part they take, are common sufferers. It is therefore as impossible for the People *knowingly* to prefer such abusers of power to honest men, as it is for them to prefer oppression and suffering to freedom and happiness. But misled by plausible but false professions of zeal for liberty and the public good, the people not unfrequently choose such deceivers for their rulers. Hence it is essential, in a free government, that the characters of men in power should be examined and plainly described. Those who take the lead, and give form and effect to abuses, are always few in number ; but supported by a greater number alike unprincipled, and a still greater of uninformed and undiscerning men, they are enabled to trample on the constitution, to violate the People’s rights, and to load them with oppressions.

As men, like trees, are known by the fruits they bear, nothing would be more useful, at this time, than a review and display of the principal acts and proceedings of the men who for nearly the last twelve years have governed the United States. Such a review would show, that they are the chief authors of our sufferings, and of the ruin now impending.

We have the confession of Mr. JEFFERSON himself, when in an evil hour he gained the President's chair, that the U. States were "in the full tide of successful experiment," and that the government—the federal government—"had so far kept us free and firm."—And what has changed the scene? What has produced years of suffering, and at length the greatest of human calamities, WAR? The fatal departure from those principles of administering our government which had brought in that full tide of prosperity and kept us free and firm. Our rulers, by their long manifest partialities towards France, and enmity and ill-offices towards her principal adversary, and now by declaring war against Great-Britain, have given proofs of their desire to contribute to her downfall; tho' with the moral certainty, in that event, of our own ruin—of the loss of our independence as a nation, and of our individual liberties. The government of a free people so conducting deserves their severest reproach.—Thus viewing the proceedings of our rulers, and in connection therewith, the character and conduct of the rulers of France, we make the following further declaration of our opinions and feelings.

1. That most of the great political evils which for a series of years have afflicted our country, are to be ascribed to the intrigues and perfidy of the French government, under all its forms, monarchical, republican and imperial—in

concert with many ambitious and some unprincipled and corrupt men among our own citizens, over whom that government acquired a dangerous and pernicious influence.

2. That this French influence, at one period during our revolutionary war, was so predominant as to procure an instruction from Congress to our ministers who were empowered to negotiate a treaty of peace with Great-Britain, which put in jeopardy the *fisheries*, so highly important to Massachusetts—the *extension of our territory to the Mississippi*, and the *free navigation of that river*, and exposed us to a continuance of that distressing war, by postponing the acknowledgment of our independence (an indispensable condition of peace) so long as might suit the convenience and the ambitious views of France.—By that instruction, by which our ministers were dishonoured and our country degraded, they were placed at the discretion of the ministers of France; being required “to undertake nothing in the negotiations for peace or truce without their concurrence; and ultimately to govern themselves by their advice and opinion.” This humiliating and dangerous instruction our ministers had the dignity, firmness and patriotism *to lay aside*; and not only without, but in opposition to the insidious advice and opinion of the French ministers, negotiated such a treaty with Great-Britain, as the honor and interests of the U. States required. For which bold and independent conduct, the French party in Congress, *with Mr. MADISON a principal among them*, attempted to pass a vote of censure.

3. That to the intrigues of France are to be ascribed all the difficulties and delays we encountered in our attempts, in 1797 and 1798, to run the boundary lines between the U. States and the Floridas, pursuant to our treaty with Spain; and the corrupt attempts, by bribery, to detach the State of

Kentucky from the Union: for France, it appears, had then contemplated the recovery of Louisiana from Spain.— To the same intrigues is also to be attributed the obstruction, in 1802, to the free navigation of the Mississippi and to our right of deposit of our merchandizes at New-Orleans: for though Spain was then in *possession*, she was no longer the *owner* of Louisiana, and could have no possible motive to violate her own good faith and injure the United States: she having before that time (in October 1800) actually re-conveyed Louisiana to France.

4. That to the same intrigues of France and her influence with her American party, the party which WASHINGTON denounced as the curse of their country, is to be ascribed the vehement and obstinate opposition encountered by that patriot President, in his endeavors to maintain an impartial neutrality, and to preserve the peace of the United States: France and her partisans using every means in their power to prevent a settlement, by treaty, of the differences then existing between the United States and Great-Britain; instead of which, they urged commercial restrictions and war.

5. That if the preservation of the rights, property and interests of the United States were the real inducement to the measures of our rulers, in their commercial prohibitions and restrictions, no intrigues, misrepresentations and deceptions would be required or practised in proposing and recommending them. That the statement made to Congress, by Mr. JEFFERSON, in his message of December 18, 1807, of “great and increasing dangers with which our vessels, seamen and merchandize were threatened on the high seas and elsewhere from the belligerents of Europe,” and on which he formally recommended his fatal embargo as the necessary means of preserving “those essential resources;”

was not warranted by the documents he then laid before Congress as the evidence of those dangers. And the subsequent confessions of himself and Mr. MADISON concerning a measure of one of the belligerents, (the Emperor's Berlin decree) exhibited in one of those documents, that it really presented no great and increasing dangers, from the inability of France to carry its decree into execution, and which they in fact pronounced "an empty threat"—demonstrate that the original statement was in their own view unfounded and false; and therefore that it was *a premeditated deception*. And the implicit confidence of a majority of Congress in Mr. JEFFERSON, procured a ready adoption of the measure recommended, under the familiar name of *embargo*—an interruption of navigation, according to the common understanding, of very short duration—but which now was manifestly intended by its projector to be of long continuance, and which did in fact, for an unlimited period, "cut off our commerce with all parts of the world." This measure, thus founded in deception, so ruinous to ourselves, but so acceptable to the French emperor, with the various circumstances attending it, is to be accounted for on one ground only—that it was taken in concert with him, to further his avowed design and attempts to destroy the commerce of Great-Britain, by that means to subdue her, and thus remove the only barrier in his march to universal empire.—The public men capable of practising such deceptions, are no longer entitled to credit, whatever may be their professions of sincere desires to preserve the peace of our country, and to secure and promote its welfare.

6. That under the same pernicious French influence, the natural sympathies of men for oppressed and suffering humanity—for the patriotic Spaniards betrayed into the hands

of the French emperor, but nevertheless struggling to recover and maintain their independence,—such sympathies, if felt, were discountenanced and suppressed ; and a multitude of American citizens, after the example of their rulers, exhibited to the world the strange spectacle of *freemen* indifferent to, or rejoicing at the successes of a *tyrant* usurping the dominions of an unoffending nation—of an *ally* which for many years, constrained by its situation, had aided his arms and laid its treasures at his feet ; *freemen* thus wishing to add the strength of an empire to a Power already vast and gigantic, a power which had subjugated many of the States of Continental Europe, overawed the rest, and endangered the liberties and independence of every other nation.

7. That by thus furthering the views of boundless and unprincipled ambition in a ruthless tyrant, our rulers have shown their pretensions of superior attachment to liberty and the rights of man, to be false and hollow ; and that their often repeated professions of exclusive republicanism, are made merely to delude and deceive the people. The falseness of these their pretensions is further proved by their unceasing enmity and hatred towards England, the only country in Europe, the only country in the world, beside our own, which enjoys a free government ; a country which for ages has been the bulwark of the religion we profess, and is now laboring, more than all other Christian countries, to extend the knowledge of it and its benign influences to regions where its voice has not been heard ; a country which has hitherto withstood the torrent of despotism issuing from France to enslave a world, and whose powerful navy alone has prevented that torrent from rushing upon and overwhelming the United States. The American citizen must be void of

understanding, or careless of his reputation as a man of sense, who will publicly question the truth of this opinion.

8. That the preceding truths being so obvious and clear,—the constant and glaring partiality of our rulers towards France, and as constant and glaring hostility to G. Britain, so manifest ; while the best interests, the commerce and prosperity of the United States are the sacrifice, and their liberty and independence put in jeopardy ; while they talk of *honour*, and *crouch* at a tyrant's feet, submitting to the unexampled insults of the Emperor of France, who tells them to their faces that they are destitute of policy, of energy and of honour ; while they petulantly complain of injuries from Great-Britain, and patiently submit to injuries tenfold greater and of peculiar aggravation from France ; while they affect a desire to protect our commerce, yet by their own acts have done more than all foreign nations to destroy it ; and at last have declared war in favour of a *tyrant* against the country with whose extensive dominions in every quarter of the globe a free commerce is now more interesting to us than a trade with all the world beside ;—we are constrained to express our opinion, that such conduct is not to be accounted for on any fair and honorable principles : we are constrained to believe, and do believe, that while an ardent desire to continue in power, clothed with all the honorable and profitable offices in the Union, might induce them to use the same means to maintain, which were employed to acquire it ; that is, by cultivating the known prejudices of the people, which are coeval with our revolution, in favour of France—and stirring up and embittering every evil passion and resentment against England ; while this might partly account for their previous measures adopted at the expense of the

solid interests of the United States; yet their last desperate and atrocious act in declaring war against Great-Britain, by which an immense property of our citizens and thousands of our seamen now abroad are exposed to capture; a war by which our fisheries and foreign commerce will be annihilated and the value of our agricultural productions thereby greatly diminished, and by which even our Coasting Trade from State to State and from one port to another in the same State may be destroyed; a war by which our ordinary revenues will be cut off, and the expenses of government and war must therefore be supported by land and other internal taxes; while complete success against Great-Britain ending in her fall, would at the same time seal our own fatal doom—and ill success and disasters would reduce these States to extreme distress;—inasmuch as all matters in dispute between Great-Britain and the United States, prior to the orders in council of November 1807, might, in the opinion of Mr. JEFFERSON's own ministers (MONROE and PINKNEY, now members of Mr. MADISON's administration) have been, and were in fact by them adjusted, on terms honorable and advantageous to the United States, but which were hastily and peremptorily rejected by Mr. JEFFERSON;—and inasmuch as those orders in council would never have been issued, had the United States resisted the Berlin decree in the manner which their honor and interest demanded;—when we consider these things, we are compelled to believe, and do believe, *that the conduct of our rulers, in preferring war to such an adjustment, is not to be accounted for on the ordinary principles of competition in a party contending for the maintenance of its power.*

9. We therefore declare that rulers so conducting themselves, having betrayed the trust which the people placed in

their hands, have forfeited all public confidence; and that every possible effort, at succeeding elections, is required, by our dearest interests, by our safety, liberty and independence, to reduce them to private life.

10. That as the embargoes and commercial restrictions imposed by our rulers, have been calculated deeply to affect the essential interests of Massachusetts, to depress her agriculture, and to destroy her fisheries, trade and navigation, deprived of which her citizens could exist only in poverty and distress,—those of her Representatives in Congress who supported and voted for those pernicious measures, and finally for the desperate and atrocious act declaring war, have shown themselves to be enemies of the Commonwealth.

11. That the violation of our commercial rights by our own government is the more pointedly to be reprobated, seeing that the equal and full protection of commerce in all the States was one of the great objects of our federal union, the preservation of which will be hazarded by a perseverance in the measures which have already so deeply affected our essential interests, and which, if submitted to, must end in their destruction.

12. That the taking of Canada, which our rulers have held up to view as a direct and principal object of acquisition in this war, if it should be accomplished, would cost infinitely more, in blood and treasure, than the whole country is worth; and that if conquered, some millions of dollars must be annually raised by taxes, to support the army indispensable to garrison the forts and maintain the possession. But a greater and more dreadful evil would be the consequence: On the first demand of France, the same rulers would surrender the country to that power. It was one of the ancient possessions of France; and a vast propor-

tion, perhaps a majority of its population, are Frenchmen.—When the French government, BONAPARTE then first consul and actual ruler of France, asked and demanded of Spain the restoration of the province of Louisiana, which had been ceded to her in 1762, this reason was assigned—That it had once constituted a part of the French territory.—Canada again in the hands of France, her former plans and practices would be resumed. Soon, as before the war of 1756, she would commence her encroachments—soon she would reunite Canada to Louisiana—detach the western States from the Union, and seize the Floridas; thus encompassing the Atlantic States, and hazarding their future peace and independence—if she forbore an immediate attack.

13. But another fearful evil rises to our view. The arbitrary strides of our rulers—the tyranny of a majority in the National House of Representatives, in infringing and denying the liberty of speech to the faithful members of that body—liberty essential to a deliberative assembly, “and formidable to tyrants only”—and without which a free government cannot exist—joined to the frequent practice of deciding in secret on measures affecting the vital interests of our country—these things justify the suspicion, that if the conquest of Canada be seriously intended, and it should be effected,—it is to be delivered up to France; that she may control the Northern States, from which alone our rulers apprehend effectual opposition to their pernicious and tyrannical measures. Or if the conquest of Canada be the ostensible, not the real object in raising an army, then the only admissible inference is, that the army is intended to enforce the same pernicious and tyrannical measures—by overawing the people, repressing the liberty of speech and

of the press, compelling silent submission, and finally effecting a complete establishment of tyranny in these free States.

14. That the countenance and encouragement to mobs and violence exhibited by persons and newspapers devoted to our rulers, furnish a well grounded presumption, that on failure of sufficient numbers in the standing army now raising, mobs are to be the instruments to enforce the arbitrary acts of our government ; which, unless counteracted by general associations for mutual security and defence, may prove fatal to the lives and liberties of the real friends of their country, and introduce all the violences and horrors which in revolutionary France deluged that land in blood.

With earnestness we seize this occasion to express our respect and veneration for the Chief Magistrate of this Commonwealth, and our cordial approbation of his conduct in refusing to surrender the command of any portion of the militia to an officer of the United States who demanded them, when none of the exigencies provided for in the constitution had occurred.

15. That the unequalled profligacy of the French government, its defiance and contempt of all the obligations of justice and truth, joined to the prevalent infidelity and general prostration of morals in the French nation, present France as an object of horror to the civilized and Christian world. In this view, therefore, we also express our detestation of the war declared by our rulers against Great-Britain ; as thereby we become associated with France ; and because the war, in its progress, will naturally produce an alliance with her that will prove fatal to our religion, liberties and independence. This voluntary, this chosen connection with a government and people so perfidious, profligate and corrupt, is of itself sufficient to draw down upon

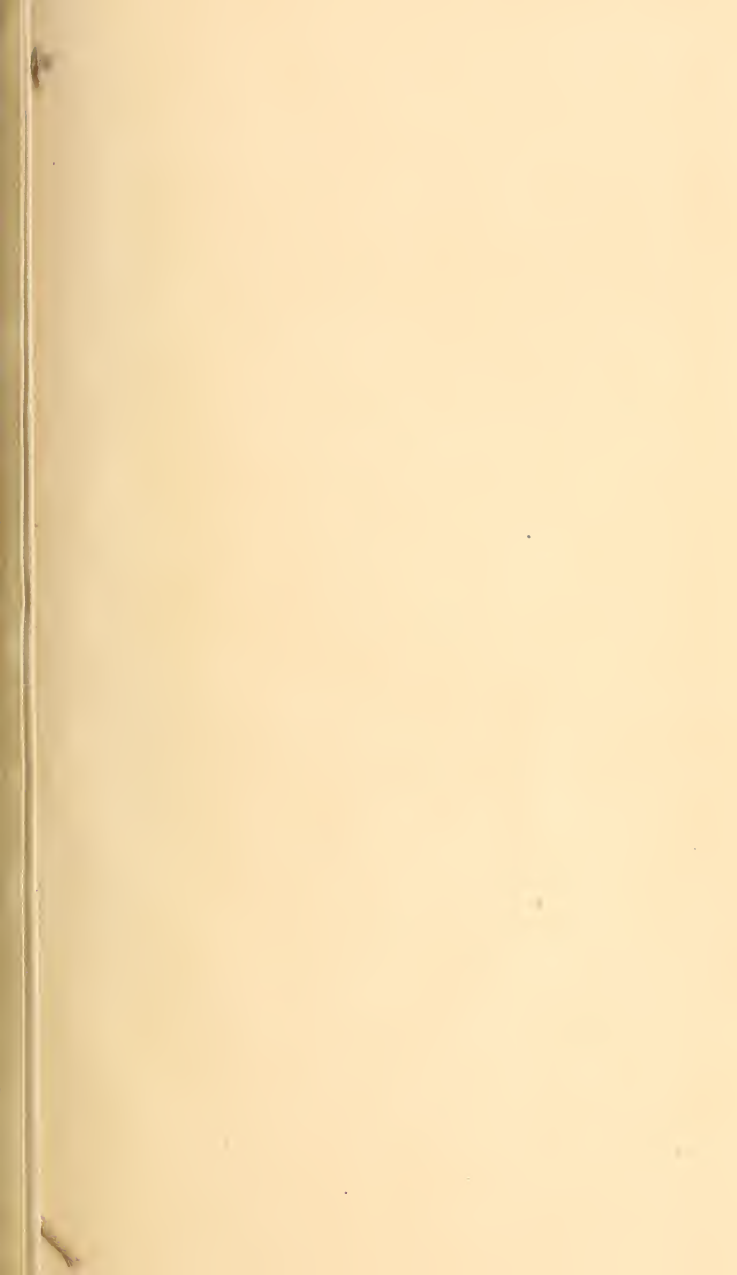
our country the judgments of Heaven. These we deprecate; and would avert by all the means which the laws and the constitution have placed within our power; in order to effect a speedy and utter dissolution of that connection.

16. That in the opinion of this convention, the magnitude of the evils here brought into view and forcing themselves on our attention, calls for a more solemn and weighty expression of the public opinion, by a convention of delegates from all the counties in this Commonwealth; and that in convenient time these delegates should assemble at Boston, to consult, advise and act on the surest means of restoring peace and commerce, and of preserving and securing our common interests, liberties and safety, now more injured, oppressed and endangered, by the doings of our own National Government, than they were when in 1775 we took arms to protect and defend them against the measures of the government of Great-Britain.

By order of the Convention.

TIMOTHY PICKERING, *President.*

LONSON NASH, *Secretary.*





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